

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

| | | |
|----------------------------|---|------------------------------|
| CYRUS DALE STEWART, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CASE NO. 3:21-CV-617-WHA-SRW |
| |) | |
| SHERIFF MR. ANDRE BRUNSON, |) | |
| et al., |) | |
| |) | |
| Defendants. |) | |

ORDER

On September 24, 2021, the Magistrate Judge filed a Recommendation to which no timely objection has been filed. Doc. 5. There being no objection filed to the Recommendation, and after an independent review of the file, the Court concludes the Magistrate Judge's Recommendation should be adopted. Accordingly, it is ORDERED that:

1. The Recommendation of the Magistrate Judge (Doc. 5) is ADOPTED.
2. Plaintiff's claims against the Macon County Sheriff's Department are DISMISSED with prejudice prior to service of process under 28 U.S.C. § 1915A(1)(b).
3. Plaintiff's claims against the City of Tuskegee are DISMISSED without prejudice prior to service of process under 28 U.S.C. § 1915A(1)(b).
4. The Macon County Sheriff's Department and the City of Tuskegee are TERMINATED as parties to this action prior to service of process.

The Clerk of the Court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure as to Defendants Macon County Sheriff's Department and the City of Tuskegee.

This case is not closed and is referred to the United States Magistrate Judge for further proceedings regarding Plaintiff's claims against the remaining defendants.

Done, this 18th day of October 2021.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE